

UNITED STATES DISTRICT COURT  
DISTRICT OF MARYLAND

Chambers of  
**Ellen Lipton Hollander**  
District Court Judge

101 West Lombard Street  
Baltimore, Maryland 21201  
410-962-0742

May 30, 2025

**LETTER TO COUNSEL**

Re: *Boshea v. Compass Marketing, Inc.*  
Case No. ELH-21-cv-0309

Dear Counsel:

As you know, on April 3, 2025, the Court held an emergency telephone conference with counsel (ECF 331), in response to an email communication from Mr. Jordan, docketed at ECF 330. Mr. Jordan advised that, at a probate hearing in an Illinois court on that date, Compass's attorney raised "technical objections to block" the appointment of Ashley Boshea as administrator of the estate of her father, David Boshea.

David Boshea, who was the plaintiff in this case, died in January 2025, at the age of 62. As a result, the case requires a substitute plaintiff. Contrary to this Court's expectations, the Illinois probate court (Garcia, J.) did not appoint an administrator for Mr. Boshea's estate at the hearing on April 3, 2025. This necessitated a postponement of the April 21, 2025 trial date in this case.<sup>1</sup> On April 3, 2025, Judge Garcia, who is presiding over proceedings in Illinois concerning Mr. Boshea's estate, scheduled another probate hearing for June 17, 2025. *Id.*

Following the telephone conference in this case, I wrote to Judge Garcia. ECF 332. I brought to his attention the pendency of this case and some background about the case. *Id.* at 1. I also expressed my surprise that Compass asserted an objection to the proposed appointment of Ashley Boshea as administrator of her father's estate, and that Compass indicated that it might lodge a claim against the estate. *Id.* at 2. In addition, I informed Judge Garcia that this Court had no choice but to postpone the federal trial date, because this case cannot proceed without a substitute plaintiff. *Id.* at 3.

Some seven weeks later, on May 23, 2025, Compass filed a "Motion to Rescind the Court's April 3 Letter to Judge Garcia of the Will County Circuit Court and Correct the Record." ECF 333 (the "Motion"). Compass alleges that "the Court's April 3 letter materially prejudices

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<sup>1</sup> The retrial had been set for February 24, 2025. ECF 277. But, at the request of defense counsel, it was rescheduled to April 21, 2025. ECF 296.

Compass Marketing in the probate proceeding pending before Judge Garcia in the Will County Circuit Court.” *Id.* at 1.

In general, a response in opposition to a motion shall be filed within fourteen days of service of the motion. Local Rule 105.2(a). Therefore, I ask counsel for plaintiff to provide a response to the Motion by **June 6, 2025**. However, because the proceeding before Judge Garcia is set for June 17, 2025, and to allow time for full briefing, counsel is encouraged to file a response prior to that date. If Compass wishes to file a reply, and uses the maximum time allotted, this will extend beyond June 17, 2025, when the probate matter resumes.

In any event, I wrote to Judge Garcia on April 3, 2025. ECF 332. Compass was advised of the letter on that date. Yet, Compass elected to wait more than seven weeks to file its Motion, with full knowledge of the impending probate hearing on June 17, 2025.

I have many other matters that require my attention. A decision on the Motion by June 17, 2025, may not be feasible. Nevertheless, Compass is free to present every argument advanced in the Motion directly to Judge Garcia.

Despite the informal nature of this letter, it is an Order of the Court and shall be docketed as such.

Very truly yours,

/s/

Ellen Lipton Hollander  
United States District Judge

cc: The Honorable David Garcia